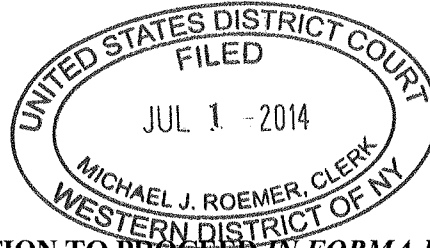


Revised 05/01 WDNV

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

(Name of Plaintiff or Petitioner)

MOTION TO PROCEED *IN FORMA PAUPERIS*
AND SUPPORTING AFFIRMATION

CV-

(Name of Defendant(s) or Respondent(s))

James A. Diaz O'Neill, (print or type your name) am the plaintiff/petitioner in the above-entitled case and hereby request the Court's permission to proceed *in forma pauperis*.

14 CV 533-S

In support of my motion to proceed without being required to prepay fees, costs, or give security therefor, I state that because of my poverty I am unable to pay the costs of this action or to give security therefor and that I believe I am entitled to redress.

I further declare that the responses which I have made in this affirmation below are true.

1. Are you presently employed? Yes ☐ No ☒

My Employer's Name and Address is: _____

My Gross Monthly Wages are: \$

If you are not presently employed, state

Your Last Date of Employment: Feb 14, 2014

Your Gross Monthly Wages at that time: 218.93

Is your spouse presently employed? Yes ☐ No ☒ SINGLE

My Spouse's Employer's Name and Address is: _____

My Spouse's Gross Monthly Wages are \$ _____

2. Have you received **any money** from any of the following sources within the past twelve months:

a. Business, profession or self-employment? Yes ☐ No ☒

If yes, state **source** and **amount received** per month \$ Employment Feb 14, 2014 \$800.00

b. Rent payments, interest or dividends? Yes ☐ No ☒

If yes, state **source** and **amount received** per month \$ _____

c. Pensions, annuities, disability, or life insurance payments? Yes ☐ No ☒

If yes, state **source** and **amount received** per month \$ _____

d. Gifts or inheritances? Yes ☐ No ☒

If yes, state **source** and **amount received** per month \$ _____

e. Child Support? Yes ☐ No ☒

If yes, state **amount received** each month \$ _____

f. Government Benefits (Social Security, SSI, Welfare, AFDC, Veterans, etc.)? Yes ☒ No ☐

If yes, state **source** and **amount received** per month \$ Welfare for pay my Rent 416.00 Monthly

g. Friends, Relatives or any other source? Yes ☐ No ☒

If yes, state **source** and **amount received** per month \$ _____

If you have **not** received any money from any of the above sources, please explain how you are currently paying your expenses:

3. What is your total gross monthly income today: \$ 0

4. How much **cash** do you have on hand? \$ 0

5. How much money do you have in a **checking account(s)**? \$ 0
6. How much money do you have in a **savings account(s)**? \$ 0
7. If you are an inmate of a correctional facility, state the amount of funds in your inmate account (**NOTE: prisoners must have inmate account balances certified by an authorized official of the correctional facility and must include a signed Authorization for payment of the filing fee**): _____
8. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? Yes No
 If so, **describe** the property in detail and give an **estimated value** of the property: Mazda Protege 1997
\$ 300.00
- If you own property, are you paying off a **loan** or **mortgage** on it? Yes No
 If yes where are you obtaining the money to make such payments: _____
9. If you are not an inmate, state your **total monthly household expenses**:
 Rent or mortgage \$ 392.50 Food \$ 189.00 Utilities \$ included All other expenses \$
 If your monthly expenses exceed the amount of income you listed in # 3 above, please explain how you are paying your expenses

10. List **all** of the people who are in your household and state the amount of money each one contributes to household expenses each month: 0

11. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support: 0

12. Have you been adjudicated bankrupt within the past ten (10) years? Yes No
 If the answer is yes, please include the court and date of filing _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

(Date)

(Applicant's Signature)

PRISON CERTIFICATION SECTION

(Required for Prisoner Requests Only; Prisoner Requests **Must** Have This Section Completed By Prison Official)

I **certify** that the movant has the sum of \$ _____ on account to his/her credit at the _____
 _____ Correctional Facility where s/he is currently confined.

I **further certify** that the movant has the following securities to his/her credit according to the institution's records: _____

I **further certify** that the movant's average account balance was \$ _____ during the last six months.

 Signature of Authorized Officer of Institution

 Print Name of Authorized Officer of Institution